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or mobile scanning device and wherein said
central agency issues said vehicle identifier.

-- 25. (New claim) The method for collecting
vehicular road use fees of claim 11 wherein said
information comprises vehicle title, insurance,
driver licenses, inspection, or emissions.

-- 26. (New claim) The apparatus for
collecting vehicular road use fees of claim 18
wherein said information comprises vehicle title,
insurance, driver licenses, inspection, or
emissions.

REMARKS

Applicant has carefully considered the matters raised
by the Examiner in the outstanding Office Action but
remains of the opinion that patentable subject matter is
present. Applicant respectfully requests reconsideration
of the Examiner's position based on the above amendments to
the claims, and the following remarks.

The present invention discloses a method and apparatus

for collecting vehicular road use fees and other related road use information. These road use fees may be ordinary travel tolls, parking fees, or fines associated with unauthorized road usage. It is also contemplated that information such as vehicle title, insurance, driver licenses, inspection, and emissions can also be monitored according to the present invention.

To accomplish information collection, vehicle identifiers containing various information corresponding to the vehicle are first attached to the vehicle. These vehicle identifiers are then read by vehicle code readers in order to reveal the stored information.

In order for the collected information to be processed in a logical fashion, a central agency, such as the Department of Motor Vehicles, is employed to analyze the retrieved information. This central agency has the capability to compare the information retrieved from the vehicle code reader with previously stored information in the central agency's database for the purposes of determining if the corresponding vehicle should be charged a toll, parking fee, has expired insurance, invalid title, etc.

In addition to processing the retrieved information, the central agency also has the capability of programming the vehicle identifier and issuing programmed identifiers to all vehicle's engaged in road use. Since the central agency will be the entity processing the retrieved information, it is logical for the central agency to also issue vehicle identifiers which correlate with their system of processing.

Turning now to the Office Action, the Examiner had rejected claims 11-24 under 35 USC 103(a) as being unpatentable over Urbish (US 5,734,343) in view of Slavin (US 5,819,234) and Leitner (US 5,587,575). Urbish has been cited for the teaching of attaching a label to a vehicle to collect tolls, Slavin has been cited for the establishment of a toll collection account, and Leitner has been cited for teaching the use of portable readers to scan a code that has been attached to a vehicle.

Applicant has herein amended claims 11 and 18 to recite that the central agency issues the vehicle identifier. Support for these amendments can be found on pages 5 and 6 of the specification where it states that the vehicles unique ID code is issued by the office that issued

the vehicles registration, and programmed by the proper agencies to identify unregistered vehicles.

Although Slavin has been cited for the establishment of a toll collection account, Slavin further states that its vehicle identifier is purchased at a retail store (col. 3, lines 10-18), and the related toll collection account is established at that time.

Since it is not possible for a retail store to obtain insurance information and the like, the retail store would similarly not be able to program or even issue vehicle identifiers that contain such information. Applicant therefore submits that Slavin is overcome since a retail store, not the central agency, issues the vehicle identifier.

Similarly, applicant submits that the Urbish and Leitner references are overcome as well, since neither reference teaches that the vehicle identifiers are issued by the central agency.

On page 3, paragraph 1 of the Office Action, the Examiner states that Urbish lacks the specific teaching of

establishing an account at a central agency and transferring the data containing the identification code from the reader to the central agency. Urbish therefore lacks the teaching of having a central agency issue the vehicle identifier, since Urbish makes no mention of the use of a central agency for any purpose.

Leitner discloses a method for vehicle identification where a vehicle code is read by law enforcement officials using a vehicle scanner, and the retrieved information is compared to visual characteristics of the vehicle observed by the law enforcement official. Further, in order to minimize theft, the driver of the vehicle may be required to submit a PIN which must correspond to the PIN stored in the vehicle code (col. 4, line 62 to col. 5, line 5). Leitner therefore teaches that information obtained from the vehicle identifier is processed by law enforcement officials, not by a central agency.

This distinction is key, since claims 11 and 18 recite that the same entity must both issue the vehicle identifier and process the retrieved information. As explained above, Leitner explains that law enforcement officials, not the central agency, processes the information retrieved from

the vehicle identifier.

Claims 11 and 18 have also been amended to recite that the vehicle code reader is a fixed, as well as a mobile scanning device. Support for this amendment can be found on page 3, paragraph 5.

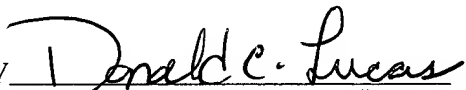
Applicant has also added new claims 25 and 26 reciting that the retrieved information contain vehicle title, insurance, driver licenses, inspection, or emissions information. Support can be found on page 4, paragraph 2.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and such action is respectfully requested. Should any fees or extensions of time be necessary in order to maintain this application in pending condition, appropriate requests are hereby made and authorization given to debit account #02-2275.

Respectfully submitted,

MUSERLIAN, LUCAS AND MERCANTI

DCL:pd

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-- 11.

(Amended) A method for collecting

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vehicular road use fees comprising:

(a) attaching a vehicle identifier to a vehicle;

(b) reading said vehicle identifier with a vehicle code reader to retrieve information about said vehicle;

(c) communicating said information to a central agency; and

(d) processing said information in said central agency;

wherein said vehicle code reader is a fixed or mobile scanning device and wherein said central agency issues said vehicle identifier.

-- 18.

(Amended) An apparatus for collecting

[vehicle] vehicluar road use [related] fees comprising:

(a) a vehicle identifier attached to a vehicle;

(b) a vehicle code reader for retrieving information contained in said vehicle identifier; and

(c) a central agency for processing said information;



wherein said vehicle code reader is a fixed
or mobile scanning device and wherein said
central agency issues said vehicle identifier.